

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		31/01/2013	
		N/A		Consultation Expiry Date:		17/01/2013	
Officer				Application Number(s)			
Seonaid Carr				2012/6654/P			
Application Address				Drawing Numbers			
Pavement on Belsize Park Gardens O/S Flat 1, Manor Mansions Belsize Grove London NW3 4NB				See draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of 1 x telecommunications equipment cabinet on the public footpath.							
Recommendation(s):		Grant prior approval subject to conditions					
Application Type:		GPDO Prior Approval Determination					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	26	No. of responses	01	No. of objections	00
				No. Electronic	01		
Summary of consultation responses:		<p>A press notice was published on 27 December (expiring 17 January 2013) and a site notice was displayed from 19 December 2013 until 09 January 2013.</p> <p>A letter of support was received from an occupier of Flat 3 Manor Mansions who works from home and considered the development a matter of necessity. The local resident does not consider the cabinet would affect the local area given its siting close to an existing cabinet.</p>					
CAAC comments:		<p>Belsize CAAC object to the proposal on grounds of size, colour and position being very near a prominent corner.</p> <p>Officer comment: The response to the CAAC comments forms the assessment below.</p>					

Site Description

The application site relates to a section of pavement located to the southern side of Manor Mansions on Belsize Park Gardens. The site is located approximately 27m from the junction of Belsize Park Gardens and Belsize Grove. The site is located within the Belsize Conservation Area.

Relevant History

2011/0640/P – Prior approval was refused for the installation of a BT cabinet on the pavement outside Atina Court at 2 Belsize Grove. The application was refused due to scale, location and design resulting in an overly prominent structure which would be unduly harmful to the character and appearance of the street scene and Belsize Conservation Area.

Relevant policies

National Planning Policy Framework (2012)

The London Plan (2011)

LDF Core Strategy and Development Policies (2010)

CS5 Managing the impact of growth and development
CS11 Promoting sustainable and efficient travel
CS14 Promoting high quality places and conserving our heritage
DP16 The transport implications of development
DP17 Walking, cycling and public transport
DP24 Securing high quality design
DP25 Conserving Camden's heritage
DP26 Managing the impact of development on occupiers and neighbours

Supplementary Planning Guidance

Camden Planning Guidance 2011
Camden Streetscape Design Manual
Belsize Conservation Area Statement (2003)

Assessment

Proposal

GPDO prior approval is sought for a telecommunications (DSLAM) cabinet. The Town and Country Planning (General Permitted Development) Order (GPDO) 1995 (as amended) sets out the details of the types of developments for which planning permission is 'deemed' to be granted, more commonly known as 'permitted development'. Much of the work carried out by a telecommunications operator will be permitted development under Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) (amendment) Order 2001. The proposed works fall under the criteria for the works to be permitted development under Part 24 because of the cabinet's limited height and cubic content, however, as the site is within a conservation area the applicant is required to submit plans and specifications of the equipment for a determination as to whether prior approval is required. The Order states that the only issues which the Council can consider in relation to such prior approval applications are those relating to siting and design. It is not possible to raise objections on any other grounds. A decision has to be made within 56 days of the application's receipt, i.e. by the expiry date referred to above (31 January 2012); otherwise the applicants have deemed approval by default according to GPDO legislation.

Government advice is that local planning authorities should seek to approve such proposals in support of national interests unless they are sufficiently and demonstrably harmful as to override that interest. Consideration must be given as to whether the impact from this proposed telecommunications installation is sufficiently serious to override the presumption in its favour under the guidance of the NPPF.

The proposed DSLAM Cabinet installation forms a wider part of the government's Digital Britain project. The cabinet will provide super fast broadband connectivity to an increased number of the population, boosting individual users use of the internet together with a range of SMEs. The proposed cabinet provides the surrounding properties that are currently connected to the telephone system by the existing green Openreach cabinets (PCP) with a connection to the fibre optic cable spine and as such new fibre optic cabling is currently being installed throughout the country. The proposed cabinets are in addition to the existing BT Cabinets and the existing cabinets will remain. The proposed cabinet provides a conversion from fibre optic cable to copper cable and then feeds the signal into the wider telephone network through the existing green Openreach cabinets (PCP). The proposed cabinet has to be located close to the existing PCP to reduce the amount of copper cabling within the system. The advantage is that it provides as much fibre optic cabling within the system to attain the speeds required.

Assessment

The proposed cabinet would be 1.6m above ground level, 1.2m wide and 0.45m deep. The cabinet would be steel with a green finish. The proposed cabinet would be sited to the back of the pavement adjacent to the low level brick boundary wall and hedge that surround Manor Mansions. The existing PCP cabinet is also located to the south of Manor Mansions, nearer to the boundary with No.44 Belsize Park Gardens, some 21m from the application site.

Given the cabinet would be sited to the back of the pavement, retaining a pavement width of up to 2.2m and would be of an appropriate scale and height in relation to the brick wall, hedge and pavement, it is considered it would not cause significant harm to the character of the street. In order to ensure it is well integrated with the surrounding street furniture given the existing cabinet and thereby reduce its visibility it would be considered more appropriate to paint the cabinet black in colour, in line with the Camden Streetscape Design Guide. A condition would be attached requiring this.

When considering the cabinet in the context of the surrounding street scene, it would be located some 27m from the T junction of Belsize Park Gardens and Belsize Grove between an existing lamp post and public bench within a stretch of Belsize Park Gardens where there is one existing cabinet which is some 21m from the application site. Given the cabinet would be sited away from the junction where there is already a number of items of street furniture it is considered its location would not add unnecessary street clutter to the surrounding area.

It is noted that there was a previous application within close proximity to the site for a cabinet of the same scale as what is being proposed within this application. The previous scheme proposed to locate the cabinet adjacent to Atina Court, 2 Belsize Grove, the site was near the junction of Belsize Grove and Belsize Park Gardens and the cabinet would have been located on a section of pavement where there is a prominent rendered wall and currently very little street furniture except for a public bench, the previously proposed location would have retained a pavement width of 2m. What is being proposed within this current application sees the cabinet located further away from the junction and in closer proximity to an existing cabinet, thereby not appearing as incongruous in the context of the wider street scene. Furthermore the current proposal would retain a pavement width of 2.2m which is an improvement on the refused application.

In terms of scale and design which formed part of the previous refusal, these cabinets are of standard scale and design. Prior to submitting this current application the applicant was asked if it would be possible to reduce the scale, however it was explained that this would not be possible. It is considered that in siting the cabinet further from the junction and against a brick wall with hedge it would not appear as such a prominent structure as it would have within the previous application. As such it is considered that the proposed location would mitigate the scale and design of the cabinet.

Consequently, given the cabinet would retain a footway width of some 2.2m, be positioned to the back of the pavement away from the junction with Belsize Grove, it would not harm the character and appearance of the street scene or wider conservation area and no objection is raised to the proposal.

Transport

Pedestrian flows are not considered to be affected by the cabinet. A pavement width of approximately 2.2m would be maintained in front of the cabinet, which complies with the Camden's Streetscape Design Manual recommendations for minimum pavement widths which considers 1.8m to be the minimum effective width.

Recommendation

Prior approval required – approval granted subject to conditions.

DISCLAIMER

Decision route to be decided by nominated members on Monday 21st January 2013. For further information please click [here](#).